

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SAMANTHA PETTINGILL, JULIE  
PETTINGILL, GENE PETTINGILL, JULIE  
PETTINGILL, as guardian *ad litem* for C. P.  
and T. P., minors, and SOCIETY FOR PET  
ADOPTION, RESCUE, AND EDUCATION,  
INC., a Delaware nonprofit corporation,

Plaintiffs,

v.

JOHN CALDWELL, in his official and  
individual capacities, JOHN SAVILLE, in his  
official and individual capacities,  
DELAWARE SOCIETY FOR THE  
PREVENTION OF CRUELTY TO  
ANIMALS, a Delaware corporation

Defendants.

C.A. No. 05-224 JJF

JURY TRIAL DEMANDED

**STIPULATION MODIFYING SCHEDULING ORDER**

**WHEREAS**, by Order dated April 6, 2006, the Court set October 31, 2006 as the discovery deadline and November 17, 2006 as the dispositive motion deadline;

**WHEREAS**, the parties participated in a mediation before The Honorable Vincent A. Bifferato, Sr. and are engaged in continuing settlement negotiations;

**WHEREAS**, the parties believe that settlement is much less likely if discovery is not extended to allow the parties an opportunity to continue negotiations without contemporaneously completing discovery;

**WHEREAS**, the parties have agreed to extend the discovery deadline and summary judgment deadline to allow the parties an opportunity to continue settlement negotiations;

**IT IS HEREBY STIPULATED** by and between the undersigned counsel on behalf of the respective parties, subject to approval of the Court, that the discovery deadline is extended

until December 20, 2006 and the deadline to file any dispositive motion is extended until January 26, 2007.

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| OBERLY, JENNINGS & RHODUNDA, P.A.<br><br>/s/ Karen V. Sullivan                                                                                                                                                                               | HECKLER & FRABIZZIO, P.A.<br><br>/s/ Daniel P. Bennett                                                                                                                                   |
| <hr/> Charles M. Oberly, III (No.743)<br>Karen V. Sullivan (No. 3872)<br>800 Delaware Avenue, Suite 901<br>P.O. Box 2054<br>Wilmington, DE 19899<br>(302) 576-2000 – Telephone<br>(302) 576-2004 – Facsimile<br><br>Attorneys for Plaintiffs | <hr/> Daniel P. Bennett (No. 2842)<br>800 Delaware Avenue, Suite 200<br>Wilmington, DE 19801<br>(302) 573-4800 – Telephone<br>(302) 573-4806 – Facsimile<br><br>Attorneys for Defendants |

It is **SO ORDERED** this \_\_\_\_ day of October, 2006.

\_\_\_\_\_  
**United States District Judge**